

PART OF THE NORTH HALF OF SECTION 7, TOWNSHIP 8 NORTH, RANGE 64 WEST
OF THE 6th PRINCIPAL MERIDIAN, WELD COUNTY, COLORADO

Said described parcel contains 5.071 Acres more or less, and is subject to any rights-of-way or other easements as granted or reserved by instruments of record or as now existing on said described parcel of land.

Jasper Freese
Registered Land Surveyor, Colorado Reg. No. 4392

The foregoing certification was acknowledged before me this 5th day of OCTOBER AD. 2005.
Witness my hand and official seal.

My Commission expires: 10/22/06

The foregoing certification was acknowledged before me this 24 day of November, AD 2005

Witness my hand and official seal

My commission expires: 10/22/06

1. This Subdivision Exemption is for the creation of a lot for the purpose of financing.
2. All proposed or existing structures will or do meet the minimum setback and offset requirements for the zone district in which the property is located. Pursuant to the definition of setback in the Weld County Code, the required setback is measured from the true right-of-way line.
- *No building or structure as defined and limited to those occupancies listed as Groups A, B, E, F, H, I, M and R in Section 302.1 of the 2003 International Building Code, shall be constructed within a 200-foot radius of any tank battery or within a 150-foot radius of any wellhead. Any construction within a 200-foot radius of any tank battery or 150-foot radius of any wellhead shall require a variance from the terms of Section 23-3-10 of the Weld County Code.
3. Any future structures or uses on site must obtain the appropriate zoning and building permits.
4. Prior to the release of building permits the applicant shall submit evidence to the Department of Planning Services that the lot has an adequate water supply of sufficient quality, quantity and dependability.
5. Potential purchasers should be aware the Lot may not be eligible for a domestic well permit which allows for outside irrigation and/or the watering of stock animals. The State Division of Water Resources issues all well permits.
6. Potential purchasers should be aware that ground water may not meet all drinking water standards as defined by the Colorado Department of Public Health and Environment. The Weld County Department of Public Health and Environment strongly encourages well users to test their drinking water prior to consumption and periodically thereafter.
7. Potential purchasers should be aware that approval of this Subdivision Exemption does not guarantee that well permits will be issued for the lots. Any lot may be deemed nonbuildable if the lot owner is unable to obtain a well permit. The State Division of Water Resources issues all well permits.
8. Prior to the release of building permits the applicant shall submit a recorded deed describing the lot upon which the building permit is requested with the building permit applications. The legal description on such deed shall include the Lot designation and Subdivision Exemption number.
9. Prior to the release of building permits for any structure exceeding 3,600 square feet, the applicant must comply with the requirements of Appendix III-A of the International Fire Code.
10. Should noxious weeds exist on the property or become established as a result of the proposed development, the applicant/landowner shall be responsible for controlling the noxious weeds, pursuant to Chapter 15, Articles I and II of the Weld County Code.
11. Effective January 1, 2003, Building Permits issued on the proposed lots will be required to adhere to the fee structure of the Weld County Road Impact Program, (Ordinance 2002-11).
12. Under Section 24-8-140.D of the Weld County Code, the property is still recognized as one parcel. No additional building sites are created with this Subdivision Exemption. The lot created for financing purposes shall no longer exist upon termination of the financing arrangements.

13. WELD COUNTY'S RIGHT TO FARM

Weld County is one of the most productive agricultural counties in the United States, ranking fifth in total market value of agricultural products sold. The rural areas of Weld County may be open and spacious, but they are intensively used for agriculture. Farming is the primary industry in Weld County, and the county's agricultural practices and lower level of services than in town. Along with the drawbacks come the incentives which attract urban dwellers to relocate to rural area: open views, spaciousness, wildlife, lack of city noise and congestion, and the rural atmosphere and way of life. Without neighboring farms, those features which attract urban dwellers to rural Weld County would quickly be gone forever.

Urban users are not expected to be exposed to the same level of agricultural activities as rural residents. The inevitable intrusions of urban users into the rural area. Well run agricultural activities will generate off-site impacts, including noise from tractors and equipment; slow-moving farm vehicles on rural roads; dust from animal pens, field work, harvest and gravel roads; odor from animal confinement, silage, and manure; smoke from ditch burning, fires and mosquitoes; the use of pesticides and fertilizers in crop production; and the potential for crop damage from wind-blown pollen. The growth of the county, and the need of residential development without threatening the efficient delivery of irrigation to fields which is essential to farm production.

Section 35-3.5-102, C.R.S., provides that an agricultural operation shall not be found to be a public or private nuisance if the agricultural operation alleged to be a nuisance employs methods or practices that are commonly or reasonably associated with agriculture.

Weld County covers a land area of over 4,000 square miles in size (Twice the State of Delaware) with more than 3,700 miles of state and county roads outside of municipalities. The sheer magnitude of the area to be served stretches available resources. Law enforcement is based on responses to complaints more than on patrols of the county and the distances which must be traveled to reach an emergency. The county has a low population density and a low level of services. The county's rural areas are sparsely settled so that most leave their jobs and families to respond to emergencies. County gravel roads, no matter how often they are trowled, will not provide the same kind of surface expected from a paved road. Snow removal priorities mean that roads from subdivisions to arterial may not be cleared as soon as several days after a major snowstorm. Snow removal for roads within subdivisions are of the lowest priority. The public may not be able to expect the private response to emergency cases, will not be equivalent to municipal services. Rural dwellers must, by necessity, be more self-sufficient than urban dwellers.

Children are exposed to different hazards in the county than in an urban or suburban setting. Farm equipment and oil field equipment, power lines, electrical power for pumps and center pivot operations, high speed traffic on state and county roads, puncture tires, territorial farm dogs, and livestock present real threats to children. Controlling children's activities is important, not only for their safety, but also for the protection of the farmer's livelihood. Parents are responsible for their children.

SUBDIVISION EXEMPTION SE-1033

FREES ENGINEERING
1523 6th AVENUE, PHONE (970) 352-0100 GREELEY, COLORADO 80631

SCALE: AS NOTED
DATE: OCTOBER 27, 2005
DRAWN: RWF
CHECKED:
40° 104°

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